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IN THE HIGH COURT OF JUDICATURE AT BILASPUR, C.G.

W.P.No.

496 / 2001

PETITIONERS :

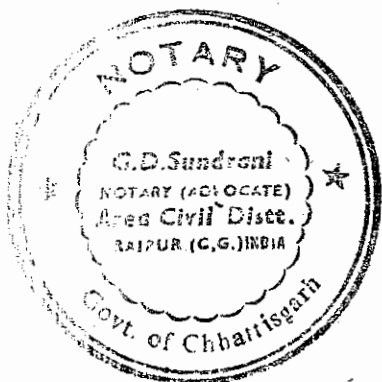
1. Vaishnavi Rice Industries,
a registered partnership
firm, Vill. Dharampara,
Mana, Raipur, C.G.
2. Kishore Agarwal, aged
about 41 yrs., s/o Late
Shri Mohanlal, Ganjpara,
Raipur, C.G.

VERSUS

RESPONDENTS :

1. Chhattisgarh State Elect-
ricity Board through its
Executive Director,
Gudiyari, Raipur, C.G.
2. Additional Superintendent
Engineer, Chhattisgarh
State Electricity Board,
Ward Nayapara, Raipur,
C.G.
3. Assistant Engineer,
Chhattisgarh State Elect-
ricity Board, Mana,
Raipur, C.G.
4. State of Chhattisgarh
through S.H.O., P.S. Mana
Camp, Raipur, C.G.
5. Chief Judicial Magistrate,
Raipur, C.G.

Writ Petition under Articles 226 and 227 of the Constitution of India.



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आदेश पत्रक

W.P.496/2001

मामला क्रमांक

सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>17.10.2001</u> : Shri B.Kinger for the petitioner. Shri R.S.Jaiswal for the Electricity Board. Shri Gautam Bhaduri GA for the State. Preliminary objection has been raised as regards maintainability of this petition under Article 226 of the Constitution of India. First of all it may be stated that the FIR has been lodged against the writ petitioner regarding certain allegations levelled against him by the Department. The matter is now under investigation by the competent authority. On 17.4.2001 on humanitarian ground that the petitioner's niece (Sister's daughter) was going to be married on 20.4.2001, this Court ordered that the petitioner be allowed to go on interim bail of Rs. 15,000/-. It is stated at bar by Shri Kinger that in fact the petitioner had already obtained a similar order from the Sessions Court. Be that as it may, that aspect of the matter is over. Both Mr.Jaiswal and Mr.Bhaduri submit that in the light of the reliefs sought for in this writ petition it is clear that no exercise extra ordinary jurisdiction under Article 226 of the Constitution will not be proper in as much as	

आदेश पत्रक (पुर्वानुबद्ध)

आदेश का दिनांक आदेश क्रमांक सहित	..2.. आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	the reliefs sought can be made available by the competent ~~authorities~~ court and in fact the matter is already under investigation. Mr. Kinger submits as regards the electricity bills which they have been submitted by the department, since he has taken a very serious gri ~~an~~ a ~~matter~~ before the Electrical Inspector under section 26 (6) of the Indian Electricity Act, payment of those bills should not be insisted upon before the concerned inspector takes a final decision. It appears that there are exhaustive provisions to deal with such grievances under the relevant laws prescribed in this regard. When there is effective alternative remedy available, this court would be reluctant to exercise its power of writ jurisdiction under Article 226 of the Constitution of India. I may only state that the competent authority before whom the grievance of the writ petitioner is pending, should deal with it strictly in accordance with the provisions of law prescribed in this regard. Petition is thus rejected.	Sd/- Chief Justice

15/6/00